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Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 EKB TEXTILES, INC., a California
13 Corporation

14 Plaintiff,

15 v.

16 TARGET CORPORATION, a Minnesota
17 Corporation; BLUESTAR ALLIANCE,
18 LLC, d/b/a LIZ LANGE, A New York
19 Limited Liability Company; and DOES 1-
20 10;

21 Defendants.

Case No.:

CV10 4443 RGK (JCx)

PLAINTIFF'S COMPLAINT FOR:

1. COPYRIGHT INFRINGEMENT;
2. VICARIOUS/CONTRIBUTORY
COPYRIGHT INFRINGEMENT

Jury Trial Demanded

22 EKB Textiles, Inc. ("Plaintiff"), by and through its undersigned attorneys,
23 hereby prays to this honorable Court for relief based on the following:

24 **INTRODUCTION**

25 Plaintiff creates unique designs and silk-screens, prints and manufactures
26 rotary printed textiles, primarily for use in the garment industry. This action is
27 brought to recover damages for direct, vicarious and contributory copyright

FILED
2010 JUN 16 PM 3:11
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

1 infringement arising out of the misappropriation of Plaintiff's intellectual property by
2 the Defendants, and each of them.

3 **JURISDICTION AND VENUE**

4 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101
5 *et seq.*

6 2. This Court has federal question jurisdiction under 28 U.S.C. § 1331m 1338
7 (a) and (b).

8 3. Venue in this judicial district is proper under 28 U.S.C. § 1391(c) and
9 1400(a) in that this is the judicial district in which a substantial part of the acts and
10 omissions giving rise to the claims occurred.

11 **PARTIES**

12 4. Plaintiff EKB Textiles, Inc. is a corporation organized and existing under
13 the laws of the State of California with its principal place of business located at 777
14 E. Washington Blvd., Los Angeles, CA 90021.

15 5. Plaintiff is informed and believes and thereon alleges that Defendant
16 TARGET CORPORATION ("TARGET") is a corporation organized and existing
17 under the laws of the State of Minnesota with its principal place of business located
18 at 1000 Nicollet Mall, Minneapolis, Minnesota, 55403, and doing business in and
19 with the State of California.

20 6. Plaintiff is informed and believes and thereon alleges that Defendant
21 BLUESTAR ALLIANCE, LLC. ("BLUESTAR") is a limited liability company
22 organized and existing under the law of the State of New York with its principle
23 place of business located at 1370 Broadway, Suite 820, New York, NY 10018.
24 Plaintiff is informed and believes that in 2007 BLUESTAR purchased the "Liz
25 Lange" maternity clothing line and at all relevant time owned and operated that line.

26 7. Plaintiff is informed and believes and thereon alleges that some of
27 Defendants DOES 1 through 3, inclusive, are manufacturers and/or vendors of
28

1 garments to Defendant, which DOE Defendants have manufactured and/or supplied
2 and are manufacturing and/or supplying garments comprised of fabrics printed with
3 Plaintiff's copyrighted Designs No. 3526 and 4644 (as hereinafter defined) without
4 Plaintiff's knowledge or consent or have contributed to said infringement. The true
5 names, whether corporate, individual or otherwise of Defendants DOES 1-3,
6 inclusive, are presently unknown to Plaintiff, which therefore sues said Defendants
7 by such fictitious names and will seek leave to amend this complaint to show their
8 true names and capacities when same have been ascertained.

9 8. Defendants DOES 4 through 10, inclusive, are other parties not yet
10 identified who have infringed Plaintiff's copyrights, have contributed to the
11 infringement of Plaintiff's copyrights, or have engaged in one or more of the
12 wrongful practices alleged herein. The true names, whether corporate, individual or
13 otherwise, of Defendants 4 through 10, inclusive, are presently unknown to Plaintiff,
14 which therefore sues said Defendants by such fictitious names, and will seek leave to
15 amend this Complaint to show their true names and capacities when same have been
16 ascertained.

17 9. Plaintiff is informed and believes and thereon alleges that at all times
18 relevant hereto each of the Defendants was the agent, affiliate, officer, director,
19 manager, principal, alter-ego, and/or employee of the remaining Defendants and was
20 at all times acting within the scope of such agency, affiliation, alter-ego relationship
21 and/or employment; and actively participated in or subsequently ratified and
22 adopted, or both, each and all of the acts or conduct alleged, with full knowledge of
23 all the facts and circumstances, including, but not limited to, full knowledge of each
24 and every violation of Plaintiff's rights and the damages to Plaintiff proximately
25 caused thereby.
26
27
28

CLAIMS RELATED TO DESIGN NO. 3526 AND 4644

10. Prior to the conduct complained of herein, Plaintiff composed a design assigned Plaintiff's Internal Design Number 3526 ("Subject Design 1"). A true and correct copy of the Subject Design is attached hereto as Exhibit "1".

11. Prior to the conduct complained of herein, Plaintiff composed a design assigned Plaintiff's Internal Design Number 4644 ("Subject Design 2"). A true and correct copy of the Subject Design is attached hereto as Exhibit "2".

12. Plaintiff received copyright registration for Subject Design 1 on June 13, 2007, with the Subject Design being granted Registration No. VA 1-411-895.

13. Plaintiff received copyright registration for Subject Design 2 on September 26, 2008, with the Subject Design being granted Registration No. VA 1-656-155.

14. Plaintiff is informed and believes and thereon alleges that, without Plaintiff's authorization, Defendants, and each of them, purchased, sold, manufactured, caused to be manufactured, imported and/or distributed fabric and/or garments (hereinafter "Infringing Garments") comprised of fabric featuring two designs which are identical to, or substantially similar to Subject Design 1 and/or Subject Design 2 (collectively "Subject Designs"). True and correct copies of said garments are attached hereto as Exhibits "3" and "4".

15. At various TARGET retail stores, and each of them, across the United States, one or more of Plaintiff's employees found and purchased garments comprised of fabrics bearing the Subject Designs, which garments were manufactured under the direction of the Defendants, and each of them. Plaintiff is informed and believes and thereon alleges that one or more of the named Defendants owns and/or otherwise controls these labels and caused garments under those labels to be manufactured.

FIRST CLAIM FOR RELIEF

(For Copyright Infringement - Against All Defendants)

1 16.Plaintiff repeats, realleges and incorporates herein by reference as though
2 fully set forth the allegations contained in Paragraphs 1 through 15, inclusive, of this
3 Complaint.

4 17.Plaintiff is informed and believes and thereon alleges that Defendants, and
5 each of them, had access to the Subject Designs, including, without limitation,
6 through (a) access to Plaintiff's showroom and/or design library; (b) access to
7 illegally distributed copies of the Subject Designs by third-party vendors and/or
8 DOE Defendants, including without limitation international and/or overseas
9 converters and printing mills; (c) access to Plaintiff's strike-offs and samples, and (d)
10 garments in the marketplace comprised of lawfully printed fabric bearing the designs
11 at issue in this case.

12 18.Plaintiff is informed and believes and thereon alleges that one or more of
13 the Defendants manufactures garments and/or is a garment vendor. Plaintiff is
14 further informed and believes and thereon alleges that said Defendant(s) has an
15 ongoing business relationship with Defendant retailer, and each of them, and
16 supplied garments to said retailer, which garments infringed the Subject Designs in
17 that said garments were composed of fabrics which featured print designs that were
18 identical or substantially similar to the Subject Designs.

19 19.Plaintiff is informed and believes and thereon alleges that Defendants, and
20 each of them, infringed Plaintiff's copyrights by creating, making and/or developing
21 directly infringing and/or derivative works from the Subject Designs and by
22 producing, distributing and/or selling Infringing Garments through a nationwide
23 network of retail stores and through on-line websites.

24 20.Due to Defendants' acts of infringement, Plaintiff has suffered substantial
25 damages to its business in an amount to be established at trial.

26 21.Due to Defendants' acts of infringement, Plaintiff has suffered general and
27 special damages in an amount to be established at trial.

1 22. Due to Defendants' acts of copyright infringement as alleged herein,
2 Defendants, and each of them, have obtained direct and indirect profits they would
3 not otherwise have realized but for their infringement of the Subject Designs. As
4 such, Plaintiff is entitled to disgorgement of Defendant's profits directly and
5 indirectly attributable to Defendant's infringement of the Subject Designs in an
6 amount to be established at trial.

7 **SECOND CLAIM FOR RELIEF**

8 (For Vicarious and/or Contributory Copyright Infringement - Against All
9 Defendants)

10 23. Plaintiff repeats, realleges and incorporates herein by reference as though
11 fully set forth the allegations contained in Paragraphs 1 through 22, inclusive, of this
12 Complaint.

13 24. Plaintiff is informed and believes and thereon alleges that Defendants
14 knowingly induced, participated in, aided and abetted in and profited from the illegal
15 reproduction and/or subsequent sales of garments featuring the Subject Designs as
16 alleged hereinabove.

17 25. Plaintiff is informed and believes and thereon alleges that Defendants, and
18 each of them, are vicariously liable for the infringement alleged herein because they
19 had the right and ability to supervise the infringing conduct and because they had a
20 direct financial interest in the infringing conduct.

21 26. By reason of the Defendants', and each of their, acts of contributory
22 infringement as alleged above, Plaintiff has suffered and will continue to suffer
23 substantial damages to its business in an amount to be established at trial, as well as
24 additional general and special damages in an amount to be established at trial.

25 27. Due to Defendants' acts of copyright infringement as alleged herein,
26 Defendants, and each of them, have obtained direct and indirect profits they would
27 not otherwise have realized but for their infringement of the Subject Designs. As
28

1 such, Plaintiff is entitled to disgorgement of Defendants' profits directly and
2 indirectly attributable to Defendants' infringement of the Subject Designs, in an
3 amount to be established at trial.

4 **PRAYER FOR RELIEF**

5 Wherefore, Plaintiff prays for judgment as follows:

6 **Against All Defendants**

7 1. **With Respect to Each Claim for Relief**

- 8 a. That Defendants, their agents and servants be enjoined from infringing
9 Plaintiff's copyrights in any manner;
10 b. That Plaintiff be awarded all profits of Defendants plus all losses of
11 Plaintiff, the exact sum to be proven at the time of trial, or, if elected
12 before final judgment, statutory damages as available under the
13 Copyright Act, 17 U.S.C. § 101 et seq.;
14 c. That Plaintiff be awarded its attorneys' fees as available under the
15 Copyright Act U.S.C. § 101 et seq.;
16 d. That Plaintiff be awarded pre-judgment interest as allowed by law;
17 e. That Plaintiff be awarded the costs of this action; and
18 f. That Plaintiff be awarded such further legal and equitable relief as the
19 Court deems proper.

20 **DEMAND FOR TRIAL BY JURY**

21 Plaintiff hereby demands a trial by jury in this action pursuant to F.R.C.P. 38
22 and the Seventh Amendment of the Constitution.

23 Dated: June 8, 2010

DONIGER / BURROUGHS APC

24
25 By: 

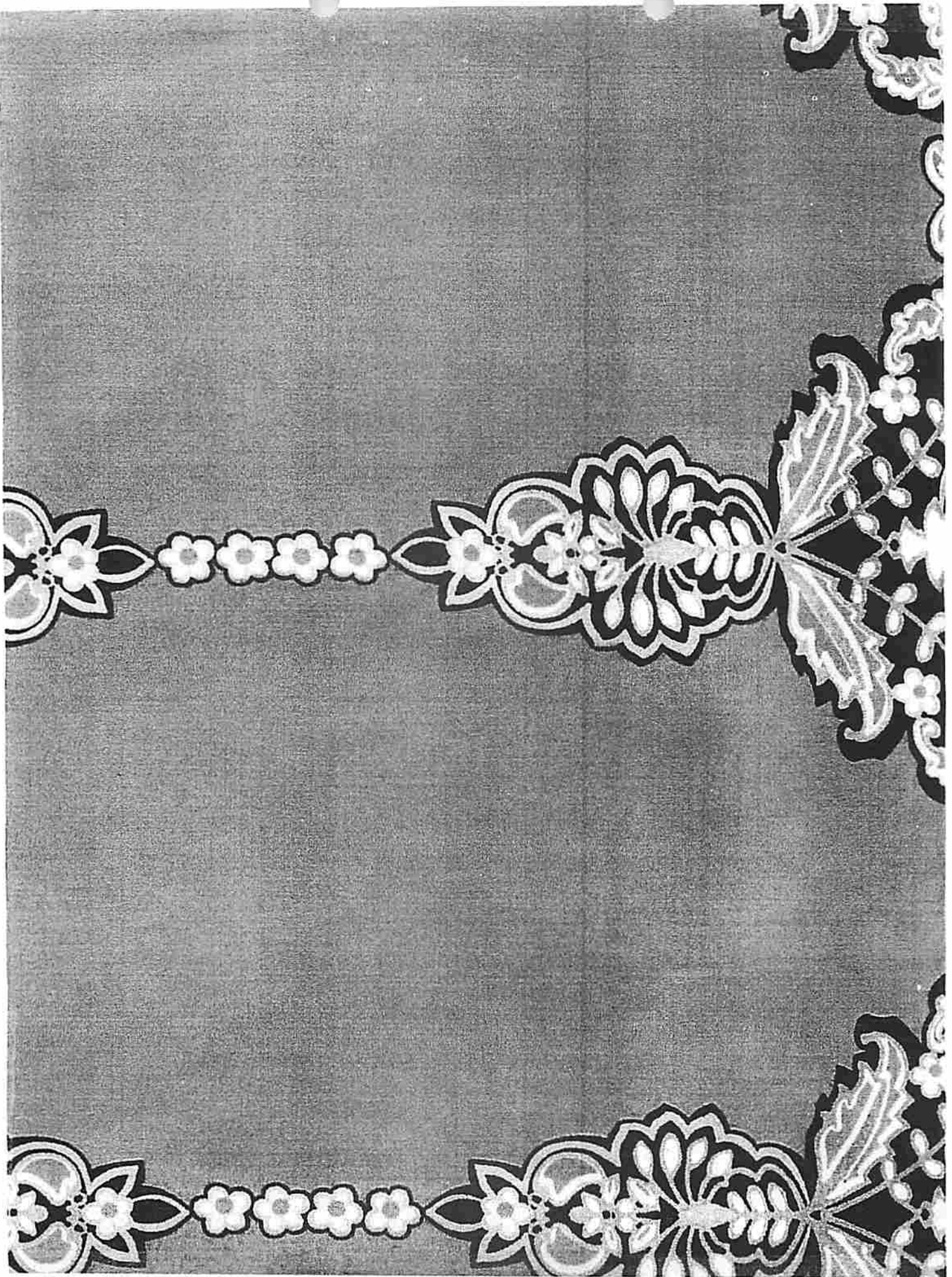
26 Stephen M. Doniger, Esq.
27 Attorneys for Plaintiff
28 EKB Textiles, Inc.

Exhibit 1





Exhibit 2



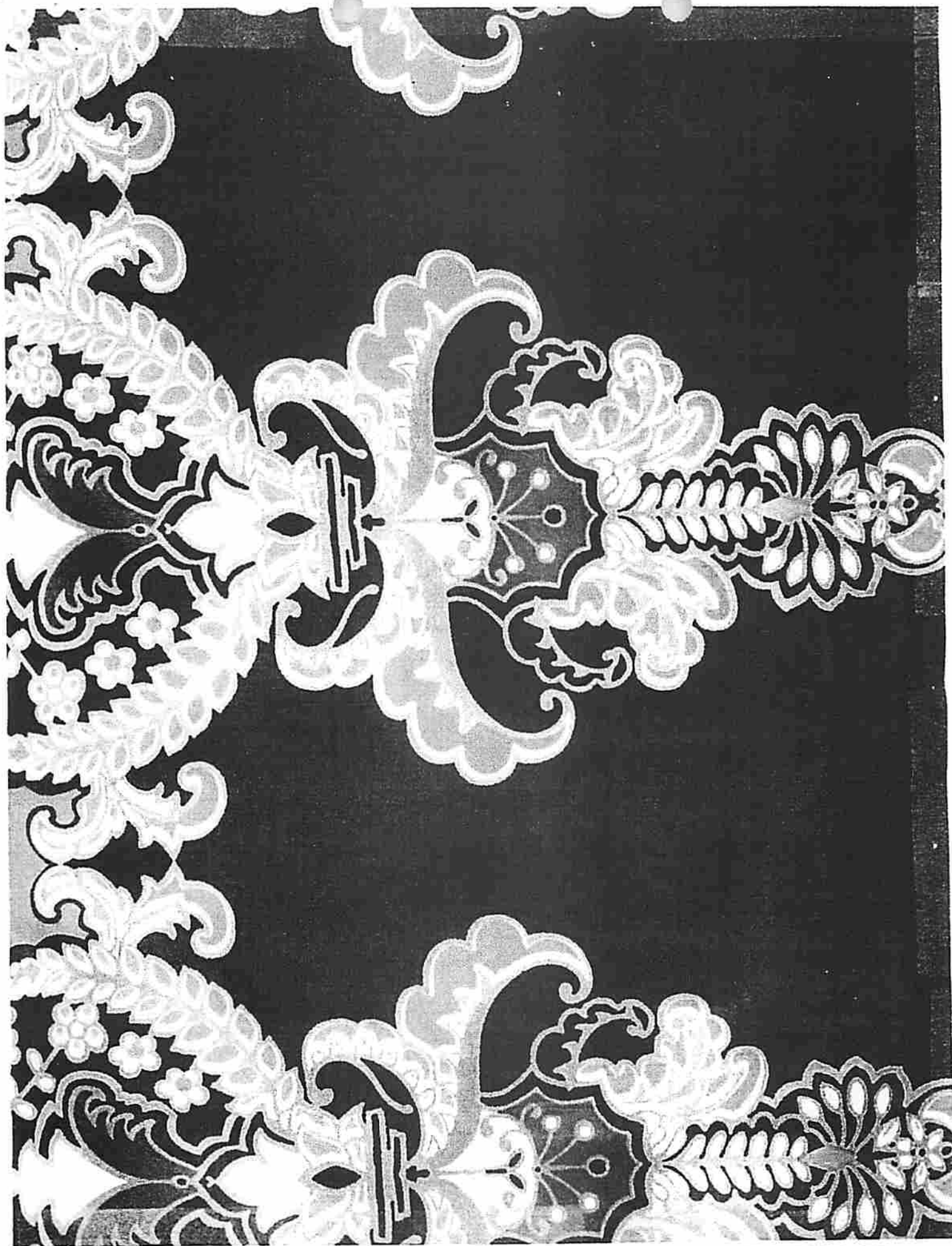


Exhibit 3



FEATURES

- Soft, stretchy fabric
- V-neckline
- Long sleeves
- Side pockets
- Machine washable
- 100% Cotton

\$19.99

021 08 2020

M

WINTER 11-12
ONLY AT LIZ LANGE
5001 E. 12TH AVE. SUITE 100
DENVER, CO 80202



2 10208-02046

MADE IN VIETNAM

liz lange maternity
FOR LARGE F

M

MADE IN
VIETNAM

Exhibit 4



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge R. Gary Klausner and the assigned discovery Magistrate Judge is Jacqueline Chooljian.

The case number on all documents filed with the Court should read as follows:

CV10- 4443 RGK (JCx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Stephen M. Doniger, Esq. (SBN 179317)
 stephen@donigerlawfirm.com
 DONIGER/BURROUGHS APC
 300 Corporate Pointe, Suite 355
 Culver City, CA 90230
 Tel: (310) 590-1820 Fax: (310) 417-3538

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

EKB TEXTILES, INC., a California Corporation,

PLAINTIFF(S)

v.

TARGET CORPORATION, a Minnesota Corporation;
 et al. (See Attached "Schedule A")

DEFENDANT(S).

CASE NUMBER

CV10 4443 RGK (JCx)

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Stephen M. Doniger, Esq., whose address is 300 Corporate Pointe, Suite 355, Culver City, CA 90230. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

JUN 16 2010

Dated: _____

CHRISTOPHER POWERS

By: _____

Deputy Clerk

(Seal of the Court)

SEAL

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

“Schedule A”

EKB TEXTILES, INC., a California Corporation

Plaintiff,

v.

TARGET CORPORATION, a Minnesota Corporation; BLUESTAR ALLIANCE, LLC, d/b/a LIZ LANGE, A New York Limited Liability Company; and DOES 1-10;

Defendants.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) EKB TEXTILES, INC., a California Corporation	DEFENDANTS TARGET CORPORATION, a Minnesota Corporation, et al.
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) DONIGER/BURROUGHS APC 300 Corporate Pointe, Suite 355, Culver City, CA 90230 Tel: (310) 590-1820 Fax: (310) 417-3538	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)
CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	Minnesota, New York

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ **Date** 6/9/2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))